United Nations S/2014/270

Security Council

Distr.: General
16 April 2014

Original: English

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The Security Council,

Reaffirming the Charter of the United Nations, the Universal Declaration of Human Rights, and the Convention on the Prevention and Punishment of the Crime of Genocide,

Further reaffirming the significance of the Convention on the Prevention and Punishment of the Crime of Genocide as an effective international instrument for the prevention and punishment of the crime of genocide, emphasizing that the crime of genocide as recognized in this Convention, is an odious scourge that has inflicted great losses on humanity, and that further international cooperation is required to facilitate the timely prevention and punishment of the crime of genocide,

Recognizing that states bear the primary responsibility to respect and ensure the human rights of their citizens, as well as other individuals within their territory as provided for by relevant international law,

Acknowledging the important role played by regional and subregional arrangements in the prevention of, and response to, situations that may lead to genocide, war crimes and crimes against humanity, especially noting Article 4(h) of the Constitutive Act of the African Union,

Recalling the important role of the Secretary-General's Special Advisers on the Prevention of Genocide and the Responsibility to Protect, whose functions include acting as an early warning mechanism to prevent potential situations that could result in genocide, crimes against humanity, war crimes and ethnic cleansing,

Recalling the jurisdiction of the International Criminal Tribunal for Rwanda (ICTR), established pursuant to its resolution 955 (1994) for the sole purpose of prosecuting persons responsible for genocide and other serious violations of

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international humanitarian law committed in the territory of Rwanda and Rwandan citizens responsible for genocide and other such violations committed in the territory of neighbouring states, between 1 January 1994 and 31 December 1994, and *further recalling* that genocide involves intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such,

Recalling the conclusions of the final report (S/1994/1405) of the Commission of Experts, established pursuant to Security Council resolution 935 (1994), among which included that "there exists overwhelming evidence to prove that acts of genocide against the Tutsi group were perpetrated," and noting that during the genocide, Hutu and others who opposed it were also killed,

Recalling that the Appeals Chamber of the ICTR issued, on 16 June 2006, a judicial notice (ICTR-98-44-AR73(C)) concluding that it was a "fact of common knowledge" that "between 6 April and 17 July 1994, there was a genocide in Rwanda against the Tutsi ethnic group", *further recalling* that more than a million people were killed during the genocide, including Hutu and others who opposed it, and *noting with concern* any form of denial of that genocide,

Noting with concern that many genocide suspects continue to elude justice, including the remaining nine ICTR-indicted fugitives,

Reaffirming its strong opposition to impunity for serious violations of international humanitarian law and human rights law, and emphasizing in this context the responsibility of States to comply with their relevant obligations to end impunity and, to that end, to thoroughly investigate and prosecute persons responsible for genocide, crimes against humanity, war crimes, or other serious violations of international humanitarian law and international human rights law, in order to avoid their recurrence and to seek sustainable peace, justice, truth and reconciliation,

Stressing that the fight against impunity and to ensure accountability for genocide, crimes against humanity, war crimes and other egregious crimes has been strengthened through the work on and prosecution of these crimes in the international criminal justice system, ad hoc and mixed tribunals as well as specialized chambers in national tribunals; and recognizing in this regard the contribution of the International Criminal Court, in accordance with the principle of complementarity to national criminal jurisdictions as set out in the Rome Statute, towards holding accountable those responsible for such crimes, and reiterating its call on the importance of State cooperation with these courts and tribunals in accordance with the States' respective obligations,

Recognizing the contribution made by the ICTR to the fight against impunity and the development of international criminal justice, especially in relation to the crime of genocide,

Noting that the prosecution of persons responsible for genocide and other serious international crimes, through the national justice system, including the Gacaca Courts of Rwanda, and the ICTR, contributed to the process of national reconciliation and to the restoration and maintenance of peace in Rwanda,

Recalling that leaders and members of the *Democratic Forces for the Liberation of Rwanda* (FDLR), were among the perpetrators of the 1994 genocide against the Tutsi in Rwanda, during which Hutu and others who opposed the

genocide were also killed, *further recalling* that the FDLR is a group under United Nations sanctions, operating in the Democratic Republic of the Congo (DRC), and which has continued to promote and commit ethnically based and other killings in Rwanda and in the DRC, and *stressing* the importance of neutralizing this group, in line with the Security Council resolution 2098 (2013),

Recalling that the General Assembly has, on 23 December 2003, designated the date of 7th April as "*the International Day of Reflection on the 1994 Genocide in Rwanda*",

Emphasizing the particular importance of all forms of education in order to prevent the commission of future genocides,

1. *Calls upon* States to recommit to prevent and fight against genocide, and other serious crimes under international law, *reaffirms* paragraphs 138 and 139 of the 2005 World Summit Outcome Document (A/60/L.1) on the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity, and *underscores* the importance of taking into account lessons learned from the 1994 Genocide against the Tutsi in Rwanda, during which Hutu and others who opposed the genocide were also killed;

2. *Condemns without reservation* any denial of this Genocide, and *urges* Member States to develop educational programmes that will inculcate future generations with the lessons of the Genocide in order to help prevent future genocides;

3. *Welcomes* efforts by member states to investigate and prosecute those accused of this genocide, *calls upon* all States to cooperate with the ICTR, the International Residual Mechanism for Criminal Tribunals and the Government of Rwanda in the arrest and prosecution of the remaining nine ICTR-indicted fugitives, and *further calls upon* States to investigate, arrest, prosecute or extradite, in accordance with applicable international obligations, all other fugitives accused of genocide residing on their territories, including those who are FDLR leaders;

4. *Requests* the Secretary-General to ensure greater collaboration between existing early warning mechanisms for genocide prevention and other serious international crimes, in order to help to detect, assess and respond to sources of tension and points of risks or identify vulnerable populations;

5. *Calls upon* States that have not yet ratified or acceded to the Convention on the Prevention and Punishment of the Crime of Genocide to consider doing so as a matter of high priority and, where necessary, to enact national legislation in order to meet their obligations under that Convention.